

E-filed on: October 30, 2006

1 Goldsmith & Guymon, P.C.  
 Marjorie A. Guymon, Esq.  
 2 E-mail: [mguymon@goldguylaw.com](mailto:mguymon@goldguylaw.com)  
 Nevada Bar No. 4983  
 3 Damon K. Dias, Esq.  
 E-mail: [ddias@goldguylaw.com](mailto:ddias@goldguylaw.com)  
 4 Nevada Bar. No. 8999  
 2055 N. Village Center Circle  
 5 Las Vegas, Nevada 89134  
 Telephone: (702) 873-9500  
 6 Facsimile: (702) 873-9600  
 Attorneys for Creditor Frank Raymond Lee

8 **UNITED STATES BANKRUPTCY COURT**  
 9 **DISTRICT OF NEVADA**

10 In re: ) BK-S-06-10725 LBR  
 ) BK-S-06-10726 LBR  
 11 USA COMMERCIAL MORTGAGE COMPANY, ) BK-S-06-10727 LBR  
 ) BK-S-06-10728 LBR  
 12 Debtor. ) BK-S-06-10729 LBR

Chapter 11

13 USA CAPITAL REALTY ADVISORS, LLC, )  
 14 Debtor. )

15 )  
 16 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, )  
 17 Debtor. )

18 USA CAPITAL FIRST TRUST DEED FUND, LLC, )  
 19 Debtor. )

20 )  
 21 USA SECURITIES, LLC, )  
 22 Debtor. )

**CERTIFICATE OF SERVICE OF  
 NOTICE OF MOTION TO WITHDRAW  
 AS COUNSEL OF RECORD FOR  
 FRANK RAYMOND LEE**

Hearing Date: November 13, 2006  
 Hearing Time: 9:30 a.m.

23 Affects: )

24 X All Debtors )  
 □ USA Commercial Mortgage Company )  
 25 □ USA Securities, LLC )  
 □ USA Capital Realty Advisors, LLC )  
 26 □ USA Capital Diversified Trust Deed Fund, LLC )  
 □ USA First Trust Deed fund, LLC )  
 27 )

28 I hereby certify that on October 30, 2006, I did serve a true and correct copy of the Notice of hearing

1 on Motion to Withdraw as Counsel for Frank Raymond Lee upon the parties listed on the attached matrix  
2 and parties listed below, either by electronic mail or first-class mail, postage prepaid:

3  
4 Frank Raymond Lee  
5 PO Box 14023  
6 Las Vegas, Nevada 89114

7 DATED this October 30, 2006.

8  
9   
10 An employee of GOLDSMITH & GUYMON, P.C.

DKD

11 W:\MAG\Client Matters\BK Clients\USA Capital 5864-4\LEE COS of NOH of Mot. to WD.wpd  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Annette W. Jarvis  
Douglas M. Monson  
Steven C. Stron  
Ray Quinney & Nebeker P.C.  
36 South State Street, Suite 1400  
P.O. Box 45385  
Salt Lake City, UT 84145-0385

Office of the U.S. Trustee  
600 Las Vegas Blvd. South, Suite  
4300  
Las Vegas, NV 89101

James Hull  
C/O Singature Financial  
2601 Airport Drive  
Torrance, CA 90505

TIM RICH  
C/O FINANCIAL WEST GROUP  
4510 E. THOUSAND OAKS BLVD.  
THOUSAND OAKS, CA 91362

ADVANCED INFORMATION SYSTEMS  
C/O MICHAEL T. YODER  
4270 CAMERON STREET, SUITE #1  
LAS VEGAS, NV 89103

ANNEE NOUNNA  
8057 LANDS END COURT  
LAS VEGAS, NV 89117-7635

JAMES PATRICK SHEA  
CANDACE C. CARLYON  
SHAWN W. MILLER  
SHLOMO S. SHERMAN  
SHEA & CARLYON, LTD.  
233 S. fourth Street, 2nd Floor  
Las Vegas, NV 89101

JOHN H. WARNER, JR.  
2048 NORTH CHETTRO TRAIL  
ST. GEORGE, UT 84770

WEN BALDWIN SEPARATE PROPERTY  
TRUST  
365 DOOLEY DRIVE  
HENDERSON, NV 89015

MARC A. LEVINSON  
LYNN TRINKA ERNCE  
ORRICK, HERRINGTON & SUTCLIFF,  
LLP  
400 CAPITAL MALL, SUITE 3000  
SACRAMENTO, CA 95814

Lenard E. Schwartzter  
Jeanette E. McPherson  
Schwartzter & McPherson Law Firm  
2850 South Jones Blvd., Suite 1  
Las Vegas, NV 89146-5308  
Kummer, Kaempfer, Bonner &  
Renshaw  
3800 Howard Hughes Parkway, 7<sup>th</sup>  
Flr  
Las Vegas, NV 89101

George Gorman  
C/O Financial West Group  
4510 E. Thousand Oaks Blvd.  
Thousand Oaks, CA 91362

ROB CHARLES  
SUSAN M. FREEMAN  
LEWIS AND ROCA, LLP  
3993 HOWARD HUGHES PARKWAY,  
6<sup>TH</sup> FLOOR  
LAS VEGAS, NV 89109  
RUSSELL AD DEVELOPMENT  
GROUP, LLC  
P.O. BOX 28216  
SCOTTSDALE, AZ 85255

ROBERT L. HAGMAIER  
15254 CANDLEWOOD COURT  
LAKE OSWEGO, OR 97035

ROBERT E. TAYLOR  
C/O CHUCK HEINRICH  
198 EL PAJARO  
NEWBURY PARK, CA 91320

MARY E. AND MATTHEW J. MORO,  
JTWROS  
1009 8<sup>TH</sup> ST  
MANHATTAN BEACH, CA 90266

JOHN GOINGS  
P.O. BOX 174  
MASONVILLE, CO 80541

ROBERT G. WORTHEN  
1112 WORTHEN CIR.  
LAS VEGAS, NV 89145

USA Commercial Mortgage, et al  
Thomas J. Allison  
4484 South Pecos Road  
Las Vegas, NV 89121

Intershow  
The Githler Center  
1258 North Palm Ave.  
Sarasota, FL 34236

R. HAGMAIER  
C/O FINANCIAL WEST GROUP  
4510 E. THOUSAND OAKS BLVD.  
THOUSAND OAKS, CA 91362

BUNCH, DELL  
C/O DONALD R. WALKER  
9209 EAGLE HILLS DR.  
LAS VEGAS, NV 89134-6109

ROBERT A. RUSSELL  
8585 EAST HARTFORD DR., SUITE 500  
SCOTTSDALE, AZ 85255

FRANK A. MEROLA  
EVE H. KARASIK  
CHRISTINE M. PAJAK  
STUTMAN, TREISTER & GLATT, P.C.  
1901 AVENUE OF THE STARS, 12<sup>TH</sup> FLOOR  
LOS ANGELES, CA 90067

JOHN WARNER JR., IRA  
C/O FIRST SAVINGS BANK  
2605 EAST FLAMINGO RD  
LAS VEGAS, NV 89121

RICHARD G. WOULDSTRA REVOCABLE  
TRUST  
RICHARD G. WOULDSTRA, TTEE  
P.O. BOX 530025  
HENDERSON, NV 89053

JOSEPH S. CONGRESS  
9900 WILBUR MAY PARKWAY, #802  
RENO, NV 89521-4008

KATZ 2000 SEPARATE PROPERTY  
TRUST  
SARA M. KATZ, MANAGING TRUSTEE  
4250 EXECUTIVE SQUARE, #670

SAN DIEGO, CA 92037

LAS VEGAS, NV 89146-6621

THOMAS C. LAWYER FAMILY TRUST  
45 VENTANA CANYON DR.  
LAS VEGAS, NV 89113

JERRY T. MCGIMSEY  
3115 SOUTH EL CAMINO RD.  
LAS VEGAS, NV 89118-1874

CHARLES O. NICHOLS AND FLORA A.  
NICHOLS  
LAS VEGAS, NV 89109

ROBERT HARDY  
6510 ANSONIA COURT

FRANK WEINMAN  
2947 PINEHURST DRIVE  
LAS VEGAS, NV 89102

GERALD M. GORDON  
GREGORY E. GARMAN  
TALITHA B. GRAY  
P.O. BOX 27555  
LAS VEGAS, NV 89126-1555

MATTHEW C. ZIRZOW  
GORDON & SILVER, LTD  
3960 HOWARD HUGES PARKWAY, 9TH FLOOR  
LAS VEGAS, NV 89109  
FERTITTA ENTERPRISES, INC.  
2960 W. SAHARA AVE., SUITE 200

WILLIAM J. BULLARD  
FERTITTA ENTERPRISES, INC.  
LAS VEGAS NV 89107

HELMS HOMES, LLC  
C/O TERRY HELMS  
20155 PORTO VITA WAY #1803  
AVENTURA, FL 33180

809 UPLAND BLVD.  
LAS VEGAS NV 89107

TERRY HELMS LIVING TRUST  
809 UPLAND BLVD.

DENNIS FLIER, INC. DEFINED  
BENEFIT TRUST

ARTHUR POLACHECK AND  
GLORIANNE

POLACHECK  
2056 WOODLAKE CIR.  
DEERFIELD BEACH FL 33442

MCCOLLUM  
1011 F. AVENUE  
CORONADO, CA 92118

777 SOUTH FEDERAL HIGHWAY  
SUITE N-409  
POMPANO BEACH, FL 33062

JAMES W. MCCOLLUM & PAMELA P.

HOMFELD II, LLC

C/O EDWARD W. HOMFELD

858 BISHOP ROAD  
GROSSE POINTE PARK, MI 48230

DIVISION  
ATTN: SUSAN ECKHARDT  
3075 EAST FLAMINGO #100  
LAS VEGAS, NV 89121

COMMISSION  
ATTN: SANDRA W. LAVIGNA.  
5670 WILSHIRE BLVD., 11TH FLOOR  
LOS ANGELES, CA 90036-3648

NEVADA MORTGAGE LENDING  
PENSION BENEFIT GUARANTY  
CORPORATION  
OFFICE OF THE CHIEF COUNSEL  
1200 K. STREET, N.W.  
WASHINGTON, D.C. 20005-4026

U.S. SECURITIES AND EXCHANGE  
DEPARTMENT OF EMPLOYMENT  
TRAINING  
EMPLOYMENT SEC DIV, CONTRIBUTIONS  
SECTION  
500 EAST THIRD STREET

CARSON CITY, NV 89713-0030  
DMV AND PUBLIC SAFETY RECORDS  
SECTION  
555 WRIGHT WAY

CARSON CITY, NV 89711-0250

9790 GATEWAY DRIVE  
RENO, NV 89521-5906  
NV DEPT OF TAXATION  
BANKRUPTCY DIVISION  
555 EAST WASHINGTON, #1300  
LAS VEGAS, NV 89101

INTERNAL REVENUE SERVICE  
ATTN: BANKRUPTCY DEPT.  
STOP 5028  
110 CITY PARKWAY

EMPLOYERS INSURANCE CO. OF NV  
ATTN: BANKRUPTCY DESK

LAS VEGAS, NV 89106

CARSON CITY, NV 89710-0003

SECRETARY OF STATE  
STATE OF NEVADA  
202 NORTH CARSON STREET  
CARSON CITY, NV 89701

NV DEPARTMENT OF TAXATION  
REVENUE DIVISION  
CAPITOL COMPLEX

OFFICE OF LABOR COMMISSIONER  
555 EAST WASHINGTON AVE., SUITE 4100  
LAS VEGAS, NV 89101

U.S. ATTORNEY  
DISTRICT OF NEVADA  
323 LAS VEGAS BLVD. SO, #5000  
LAS VEGAS, NV 89101

UNITED STATES DEPT. OF JUSTICE  
TAX DIVISION – WESTERN REGION  
P.O. BOX 683 – BEN FRANKLIN  
STATION

WASHINGTON, D.C. 20044  
DISTRICT COUNSEL  
INTERNAL REVENUE SERVICE  
110 CITY PARKWAY

LAS VEGAS, NV 89106

INTERNAL REVENUE SERVICE  
OGDEN, UT 84201

FHA/HUD  
DISTRICT OFFICE  
333 NORTH RANCHO DR., #700  
LAS VEGAS, NV 89106-3797

DEPT. OF VETERANS AFFAIRS  
LOAN SERVICE AND CLAIMS  
3225 NORTH CENTRAL  
PHOENIX, AZ 85012

CLARK COUNTY TREASURER  
C/O BANKRUPTCY CLERK  
P.O. BOX 551220  
LAS VEGAS, NV 89155-1220

CLARK COUNTY ASSESSOR  
C/O BANKRUPTCY CLERK  
P.O. BOX 551401  
LAS VEGAS, NV 89155-1401

DON TOMLIN  
C/O DAVID W. MOUNIER  
15316 SKY HIGH ROAD  
ESCONDIDO, CA 92025

MARYETTA BOWMAN  
534 ENCHANTED LAKES DRIVE  
HENDERSON, NV 89052

EDWARD W. HOMFELD  
HOMFELD II, LLC  
777 SOUTH FEDERAL HIGHWAY  
SUITE N-409  
POMPAN0 BEACH, FLORIDA 33062

RICHARD MCKNIGHT, ESQ.  
LAW OFFICES OF RICHARD  
MCKNIGHT  
330 SOUTH THIRD STREET #900  
LAS VEGAS, NV 89101

RENO, NV 89521

RJ ROCCO  
12617 COTTAGEVILLE LANE  
KELLER, TX 76248  
  
HENDERSON, NV 89074

MARGIE GANDOLFO  
1724 ARROW WOOD DRIVE  
  
SNELL & WILMER, LLP  
3800 HOWARD HUGHES PKWY, #1000  
LAS VEGAS, NV 89109

JANNY CATHARINA BROUWER  
2533 KINNARD AVENUE  
  
EATON & O'LEARY, PLLC  
115 GROVE AVENUE  
PRESCOTT, AZ 86301

ROBERT R. KINAS, ESQ.  
JENNIFER L. McBEE  
  
2710 ALBANY AVENUE  
DAVIS, CA 95616

MICHAEL R. SHULER  
C/O JAY R. EATON  
GOOLD PATTERSON, ALEX & DAY  
4496 SOUTH PECOS ROAD  
LAS VEGAS, NV 89121

KERMIT KRUSE  
  
JONES VARGAS  
100 WEST LIBERTY STREET, 12<sup>TH</sup>  
FLOOR  
P.O. BOX 281  
RENO, NV 89504-0281

KELLY J. BRINKMAN, ESQ.

JANET L. CHUBB, ESQ.

MARTIN B. WEISS, ESQ.  
THE GARRETT GROUP, LLC  
ONE BETTERWORLD CIRCLE, SUITE  
300  
TEMECULA, CA 92590

ATTILA JEFZENSZKY  
1720 COLAVITA WAY  
RENO, NV 89521

VINCE DANELIAN  
P.O. BOX 97782  
LAS VEGAS, NV 89193

WILLIAM L. MCGIMSEY, ESQ.  
601 EAST CHARLESTON BLVD.  
LAS VEGAS, NV 89104

PAUL & DONNA JACQUES  
810 SE 7<sup>TH</sup> STREET, A103  
DEERFIELD BEACH, FL 33441

PETER BOLINO  
17412 SERENE DRIVE  
MORGAN HILL, CA 95037

PASADENA, CA 91101

SEAN NAJARIAN, ESQ.  
THE NAJARIAN LAW FIRM  
283 S. LAKE AVENUE, SUITE 205  
  
LAS VEGAS, NV 89102-3202

SCOTT D. FLEMING  
HALE LANE PEEK DENNISON AND  
HOWARD  
3930 HOWARD HUGHES PARKWAY, 4TH  
LAS VEGAS, NV 89101

FLOOR  
LAS VEGAS, NV 89109  
NILE LEATHAM  
JAMES B. MACROBBIE  
KOLESAR & LEATHAM, CHTD  
3320 WEST SARAH AVE., SUITE 380

LAUREL E. DAVIS  
LIONEL SAWYER & COLLINS  
4700 BANK OF AMERICAN PLAZA  
300 SOUTH FOURTH STREET

GILBERT B. WEISMAN  
BECKETT AND LEE LLP  
P.O. BOX 3001  
MALVERN, PA 19355-0701

CARYN S. TIJSSELING  
BEESLEY, PECK & MATTEONI, LTD  
5011 MEADOWOOD MALL WAY, #300

RENO, NV 89502

NICHOLAS J. SANTORO  
400 SOUTH FOURTH STREET 3RD  
FLOOR

3000 NORTH CENTRAL AVENUE  
SUITE 1800  
PHOENIX, ARIZONA 85012

CiCi CUNNINGHAM, JAMES A. KOHL  
CHRISTINE ROBERTS  
KRAVITZ, SCHNITZER, SLOANE, JOHNSON, &  
EBERHARDY, CHTD.  
1389 GALLERIA DR. SUITE 200  
HENDERSON, NV 89014

KEVIN B. CHRISTENSEN

DONALD T. POLEDNAK  
SYLVESTER & POLEDNAK, LTD  
7371 PRAIRIE FALCON, SUITE 120  
LAS VEGAS, NV 89128

CARSON CITY, NV 89702  
BAY COMMUNITIES  
C/O CHRIS MCKINNEY  
4800 NO. FEDERAL HIGHWAY, SUITE A205  
BOCA RATON, FL 33431

ANDREW WELCHER  
c/o NORDMAN CORMANY HAIR & COMPTON  
LLP  
ATTN: WILLIAM E. WINFIELD, ESQ.  
1000 TOWN CENTER DRIVE, 6TH FLOOR  
P.O. BOX 9100

JOSHUA D. BRYSK, ESQ.  
7901 STONERIDGE DRIVE, SUITE 401  
PLEASANTON, CA 94588

SCOTT K. CANEPA

HOWARD CONNELL  
1001 JENNIS SILVER STREET  
LAS VEGAS, NV 89145

THOMAS & STILLEY  
SUSSMAN SHANK, LLP  
ATTORNEYS FOR DAVID FOSSATI  
1000 SW BROADWAY, SUITE 1400  
PORTLAND, OR 97205-3089

JOHN PETER LEE, LTD  
JOHN PETER LEE, ESQ.  
830 LAS VEGAS BOULEVARD SOUTH  
LAS VEGAS, NV 89101

LAS VEGAS, NV 89101

JED A. HART  
ANGELO, GORDON & CO.

RAWLINGS, OLSON, CANNON, GORMLEY &  
DESRUISSEAU  
9950 WEST CHEYENNE AVE.  
LAS VEGAS, NV 89129  
FRANKLIN C. ADAMS  
BEST BEST & KRIEGER LLP

XANNA R. HARDMAN  
EVAN JAMES  
7440 WEST SAHARA AVE.  
LAS VEGAS, NV 89117

RICHARD MASON  
PETER SUSI  
JAY L. MICHAELSON  
MICHAELSON, SUSI & MICHAELSON  
SEVEN WEST FIGUEROA ST. 2ND  
FLOOR  
SANTA BARBARA, CA 93101-3191

ERVEN T. NELSON  
BOLICK & BOYER  
6060 W. ELTON AVENUE, SUITE A  
LAS VEGAS, NV 89107  
OXNARD, CA 93031

ROBERT VERCHOTA, GENERAL  
PARTNER

CANEPA, RIEDY & RUBINO  
851 S. RAMPART BLVD. #160  
LAS VEGAS, NV 89145

SUSAN WILLIAMS SCANN  
PAUL R. CONNAGHAN  
DEANER, DEANER, SCANN MALAN & LARSEN  
ATTORNEYS FOR FRANKLIN/STRATFORD  
INVESTMENT, LLC  
720 SOUTH FOURTH STREET, SUITE #300  
LAS VEGAS, NV 89101

THOMAS R. BROOKSBANK  
BROOKSBANK & ASSOCIATES  
ATTORNEYS FOR AUGUSTINE  
TUFFANELLI  
689 SIERRA ROSE DRIVE, SUITE A-2  
RENO, NV 89511

245 PARK AVENUE, 26TH FLOOR  
NEW YORK, NY 10167

BRADLEY J. STEVENS  
ROBBINS & GREEN, P.A.

3750 UNIVERSITY AVE  
P.O. BOX 1028  
RIVERSIDE, CA 92502-1028

JEFFREY G. SLOANE  
REGINA M. McCONNELL

PATRICIA K. SMOOTS  
MICHAEL M. SCHMAHL  
McGUIRE WOODS, LLP  
77 WEST WACKER DR., SUITE 4100  
CHICAGO, IL 60601

JOAN C. WRIGHT  
ALLISON, MacKENZIE, RUSSELL,  
PAVLAKIS,  
WRIGHT & FAGAN, LTD.  
402 NORTH DIVISION STREET  
P.O. BOX 646

MATTHEW Q. CALLISTER  
CALLISTER & REYNOLDS  
823 LAS VEGAS BLVD. SOUTH  
LAS VEGAS, NV 89101

R&N REAL ESTATE INVESTMENTS, LP  
c/o JEFFREY A. COGAN  
3990 VEGAS DRIVE  
LAS VEGAS, NV 89108  
LAW OFFICES OF JAMES G.  
SCHWARTZ

JOHN F. MURTHA  
WOODBURN & WEDGE  
6100 NEIL ROAD, SUITE 500  
P.O. BOX 2311  
RENO, NV 89505

WILLIAM D. COPE  
COPE & GUERRA  
595 HUMBOLDT STREET  
RENO, NV 89509-1603

RUSSELL JAMES ZUARDO  
1296 HIGH FOREST AVE  
LAS VEGAS, NV 89123